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06 UNITED STATES DISTRICT COURT  
07 WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

08 UNITED STATES OF AMERICA, ) CASE NO. CR03-0482-RSL  
09 Plaintiff, )  
10 v. ) SUMMARY REPORT OF U.S.  
11 GEOFFREY NEWMAN, ) MAGISTRATE JUDGE AS TO  
12 Defendant. ) ALLEGED VIOLATIONS  
OF SUPERVISED RELEASE  
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14 An initial hearing on supervised release revocation in this case was scheduled before me  
15 on September 2, 2008. The United States was represented by AUSA Michael Lang and the  
16 defendant by Gilbert Levy. The proceedings were digitally recorded.

17 Defendant had been sentenced on or about November 5, 2004 by the Honorable Robert  
18 S. Lasnik on a charge of Conspiracy to Distribute Marijuana, and sentenced to 18 months custody,  
19 3 years supervised release. (Dkt. 119)

20 The conditions of supervised release included the standard conditions plus the requirements  
21 that defendant be prohibited from possessing a firearm, submit to mandatory drug testing,  
22 participate in a substance abuse program, abstain from alcohol, submit to search, provide his

01 probation officer with access to financial information, maintain a single checking for all financial  
02 transactions, provide information about any business interests, and disclose all assets and liabilities.

03 Defendant's probation officer reported on January 22, 2008 that defendant had violated  
04 the conditions of supervision by using cocaine and alcohol. Defendant was reprimanded, and put  
05 in a structured testing program with increased frequency of testing. No further action was taken  
06 at the time. (Dkt. 132.)

07 Supervision was modified on May 1, 2008 to require six months of home confinement with  
08 electronic monitoring and sobriety following a positive urine test for cocaine. (Dkt. 133.)

09 In an application dated August 6, 2008 (Dkt. 134), U.S. Probation Officer Jerrod Atkins  
10 alleged the following violation of the conditions of supervised release:

11 1. Failing to comply with the home confinement program since August 2, 2008, in  
12 violation of the special condition requiring he participate in the home confinement program with  
13 electronic monitoring and the sobriety (alcohol testing device) as directed by the probation officer  
14 for a period of six months.

15 Defendant was advised in full as to those charges and as to his constitutional rights.

16 Defendant admitted the alleged violation and waived any evidentiary hearing as to whether  
17 it occurred.

18 I therefore recommend the Court find defendant violated his supervised release as alleged,  
19 and that the Court conduct a hearing limited to the issue of disposition. The next hearing will be  
20 set before Judge Lasnik.

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01 Pending a final determination by the Court, defendant has been detained.

02 DATED this 2nd day of September , 2008.

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04 Mary Alice Theiler  
05 United States Magistrate Judge

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07 cc: District Judge: Honorable Robert S. Lasnik  
08 AUSA: Michael Lang  
09 Defendant's attorney: Gilbert Levy  
10 Probation officer: Jerrod Akins  
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